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[HOUSE OF REPRESENTATIVES.]

H.R. 15

— [September 23, 1862]

A BILL

To be entitled An Act to provide for the filling up of existing companies, squadrons, battalions and regiments, and to increase the Provisional Army of the Confederate States.

1 SEC. 1. *The Congress of the Confederate States of America do*  
2 *enact*, That when the President shall consider an increase  
3 of the forces in the field necessary to repel invasion, or  
4 for the public safety in the pending war, he is authorized,  
5 as hereinafter provided, to call into the military service  
6 of the Confederate States for three years, or during the  
7 present war, if it should be sooner ended, all white male  
8 citizens of the Confederate States, not legally exempted  
9 from such service, between the ages of thirty-five and  
10 forty-five years; and such authority shall exist in the  
11 President during the present war as to all persons who  
12 now are or may hereafter become eighteen years of age,

13 and when once enrolled, all persons between the ages of  
14 eighteen and forty-five years shall serve their full term.  
15 *Provided, however,* That the regiment raised under and  
16 by authority of the State of Texas, and now in the ser-  
17 vice of said State, for frontier defence, is hereby exempt-  
18 ed from the provisions and operations of this act. And  
19 *Provided,* That if the President, in calling out troops into  
20 the service of the Confederate States, shall first call for  
21 only a part of the persons between the ages hercinbefore  
22 stated, he shall call for those between the ages of thirty-  
23 five and any other age less than forty-five, and apportion  
24 the same between the several States, taking into con-  
25 sideration their relative population between the ages of  
26 thirty-five and forty-five, and the number of troops al-  
27 ready furnished to the army by the respective States  
28 under former Acts,—so far as the same may be practica-  
29 ble without departing from the principle of calling out  
30 troops according to age; and *Provided further,* That  
31 in estimating the number of troops furnished by any  
32 State, under former Acts, each State shall be credited  
33 with all the companies mustered into service from said  
34 State.

1     SEC. 2. That the President shall make such call by  
2 requisition upon the Governors of the several Confede-  
3 rate States, for all or any portion of the persons within  
4 their respective States between the ages of thirty-five  
5 and forty-five years, and also for those who now are or  
6 may hereafter become eighteen years old, as aforesaid,  
7 not legally exempted ; and when assembled in camps of  
8 instruction in the several States, they shall be assigned  
9 to and form part of the companies, squadrons, battalions  
10 and regiments, heretofore raised in their respective  
11 States, and now in the service of the Confederate States,  
12 and the number that may remain from any State, after  
13 filling up existing companies, squadrons, battalions and  
14 regiments, from such State to their maximum legal num-  
15 ber, shall be officered according to the laws of the State  
16 having such residue.

1     SEC. 3. That if the Governor of any State shall refuse,  
2 or shall fail, for an unreasonable time, to be determined  
3 by the President, to comply with said requisition, then  
4 such persons in such State are hereby made subject, in  
5 all respects, to An Act entitled " An Act further to pro-  
6 vide for the public defence," approved April 16, 1862,

7 and the President is authorized to enforce said Act against  
8 such persons.

1 SEC. 4. That, for the purpose of securing a more  
2 speedy enrollment of the persons rendered liable to mili-  
3 tary service under this Act, the President may immedi-  
4 ately upon making the requisition authorized therein,  
5 employ in any State whose Governor shall consent thereto  
6 officers of the Confederate States to enroll and collect in  
7 the respective camps of instruction all the persons called  
8 into service as aforesaid.

1 SEC. 5. That the persons brought into military service  
2 by this Act shall be assigned to the company from their  
3 State now in the service of the Confederate States which  
4 they may prefer to join, subject to such regulations as  
5 the Secretary of War may establish to secure the filling  
6 up of existing companies, squadrons, battalions and regi-  
7 ments from the respective States: *Provided*, That per-  
8 sons liable to military service under the provisions of this  
9 Act, and able-bodied men over the age of forty-five  
10 years may volunteer, and be assigned to duty in such  
11 company from their State as they may select: *Provided*,  
12 That said company shall not, by reason thereof, be in-

13 creased beyond its legal maximum number, *and Provided*  
14 *further*, That the right of volunteering in, or of being  
15 assigned to, any company shall not interfere with the ob-  
16 jects of this Act, or produce inequality or confusion in  
17 the different arms of military service: *Provided, also,*  
18 That the President is authorized to suspend the execu-  
19 tion of this Act or the Acts to which this is an amend-  
20 ment, or any special provision or provisions of said Acts  
21 in any locality where he believes such suspension will  
22 promote the public good ; and that, in such localities, and  
23 during said suspension, the President is authorized to  
24 receive troops into the Confederate service, under any of  
25 the Acts passed by the Confederate Congress, prior to the  
26 passage of the Act to further provide for the public de-  
27 fence, approved 16th April, 1862.

## AMENDMENTS

Proposed by the Senate to the Bill, (H. R. 15,) to provide for the filling up of existing companies, squadrons, battalions and regiments of the Provisional Army of the Confederate States.

Strike out all after the enacting clause and insert :

1      That the President be, and he is hereby authorized, to  
2      call out and place in the military service of the Confede-  
3      rate States for three years, unless the war should have  
4      been sooner ended, all white men who are residents of  
5      the Confederate States, between the ages of thirty-five  
6      and forty-five years, at the time the call or calls may be  
7      made, and who are not at such time or times, legally ex-  
8      empted from military service ; such call or calls to be  
9      made under the provisions and according to the terms  
10     of the act to which this is an amendment, and such  
11     authority shall exist in the President during the present  
12     war, as to all persons who now are, or may hereafter

13 become eighteen years of age, and, when once enrolled,  
14 all persons between the ages of eighteen and forty-five  
15 years, shall serve their full time : *Provided*, That nothing  
16 herein contained, shall be understood as repealing or  
17 modifying any part of the act to which this is amenda-  
18 tory, except as herein expressly stated : *And provided*,  
19 *further*, That those called out under this act and the  
20 Act to which this is an amendment, shall be first and im-  
21 mediately ordered to fill to their maximum number the  
22 companies, battalions, squadrons, and regiments from  
23 the respective States at the time the " Act to further  
24 provide for the public defence," approved 16th April,  
25 1862, was passed, and the surplus, if any, shall be as-  
26 signed to organizations formed from each State since the  
27 passage of that act, or placed in new organizations, or  
28 disposed of as now provided by law : *Provided*, That the  
29 President is authorized to suspend the execution of this  
30 act or the acts to which this is an amendment, or any  
31 special provision or provisions of said acts in any locali-  
32 ty where he believes such suspension will promote the  
33 public interest, and that, in such localities, and during  
34 said suspension, the President is authorized to receive



35 troops into the Confederate service, under any of the  
36 acts passed by the Confederate Congress, prior to the  
37 passage of the act to further provide for the public de-  
38 fence, approved 16th April, 1862.

Amend the title as follows :

An Act to amend An Act entitled "An Act to provide  
further for the public defence," approved 16th April, 1862,

Hollinger Corp.  
pH 8.5